

**FILED**

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
RALEIGH DIVISION

JAN 11 1999

PEGGY B. DEANS, CLERK  
U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF N.C.

IN RE: ) CASE NO.: 98-02675-5-ATS  
INTERNATIONAL HERITAGE, INC. )  
)  
)  
)  
Address: ) CHAPTER 7  
2626 Glenwood Avenue, #200 )  
Raleigh, NC 27608 )  
)  
TAX ID# 56-1921093 )  
)  
Debtor. )

MOTION TO SELL PROPERTY FREE AND CLEAR OF LIENS

Now comes Holmes P. Harden, trustee in the above-captioned case, and moves for the entry of an order pursuant to 11 U.S.C. Section 363 allowing the sale free and clear of liens of personal property of debtor by public or private sale. In support of said motion, trustee respectfully shows the court the following:

1. This matter is a core proceeding pursuant to 28 U.S.C. Section 157, and the court has jurisdiction pursuant to 28 U.S.C. Sections 151, 157 and 1334.

2. The properties to be sold by said trustee are situate in Wake County, Raleigh, North Carolina and are particularly described as follows:

All of the personal property of debtor, both tangible and intangible.

3. Said personal property may be subject to the following liens:

Name and Address of Lienholder	Type of Lien
Jewels by Evonne, Inc. 1879 Buford Hwy., Suite 7 Buford, GA 30518	UCC-1 #098004273 filed 5/28/98, Wake Co. Registry. UCC-1 #19980029755 filed 5/28/98 NC Sec. of State.

Stanley H. VanEtten 10504 Tredwood Drive Raleigh, NC 27613	UCC-1 #98004144 filed 5/27/98, Wake Co. Registry. UCC-1 #19980029036 filed 5/27/98, NC Sec. of State.
Mayflower Capital, LLC 2626 Glenwood Avenue, Suite 100 Raleigh, NC 27608	UCC-1 #98008343 filed 10/15/98, Wake Co. Registry. UCC-1 #19980045152 filed 7/14/98 NC Sec. of State.
J. C. Faulhaber 923 South 4th LaConner, WA 98257	UCC-1 #98008342 filed 10/15/98, Wake Co. Registry.
Pamela Johnson 18488 Best Road Mount Vernon, WA 98273	UCC-1 #98008341 filed 10/15/98, Wake Co. Registry.
Jean Wedin P. O. Box 1600 LaConner, WA 98257	UCC-1 #98008340 filed 10/15/98, Wake Co. Registry.
Lois Coonc P. O. Box 699 LaConner, WA 98257	UCC-1 #98008339 filed 10/15/98, Wake Co. Registry.
Gary D. McDowell 1138 Ascott Valley Drive Duluth, GA 30097	UCC-1 #98008338 filed 10/15/98, Wake Co. Registry.
Advanced Equities P. O. Box 1042 Winnfield, LA 71483	UCC-1 #98008337 filed 10/15/98, Wake Co. Registry.
Schweizer Verband der Raiffessebanken, St. Gallen Vadianstrasse 17 CH-9000 St. Gallen	UCC-1 #98006852 filed 8/24/98, Wake Co. Registry. UCC-1 #19980059485 filed 8/24/98 NC Sec. of State.
Schweizerische Hypotheken Handelsbank, Zurich Bahnhofstrasse/Schutzengasse CH-8023 Zurich	UCC-1 #98006851 filed 8/24/98, Wake Co. Registry. UCC-1 #19980059484 filed 8/24/98 NC Sec. of State.

UBS, Zuerich Direktion Gahnhofstrasse 45, Postfach CH-8021 Zurich	UCC-1 #98006847 filed 8/24/98, Wake Co. Registry. UCC-1 #19980059480 filed NC Sec. of State.
Coeco 2525 Atlantic Avenue Raleigh, NC 27604  Business Credit Leasing, Assignee 115 West College Drive Marshall, MN 56258	UCC-1 #13463965 filed 6/4/96, NC Sec. Of State.
Coeco 2525 Atlantic Avenue Raleigh, NC 27604  Business Credit Leasing, Assignee 115 West College Drive Marshall, MN 56258	UCC-1 # 1346396 filed 6/4/96, NC Sec. Of State.
EOS Financial Services P. O. Box 1839 Raleigh, NC 27602  Business Credit Leasing, Assignee 115 West College Drive Marshall, MN 56258	UCC-1 #1255059 filed 8/18/95, NC Sec. Of State.
EOS Financial Services P. O. Box 1839 Raleigh, NC 27602  Business Credit Leasing, Assignee 115 West College Drive Marshall, MN 56258	UCC-1 # 1450793 filed 4/15/97, NC Sec. Of State.
Centrum Bank, AG Vaduz Heiligkreuz 8, Postfoch 1168 FL-9490 Vaduz	UCC-1 #19980059479 filed 8/24/98, NC Sec. of State.
Emil Schatz, St Gallen Oberhofstettenstrasse 67C CH-9012, Saint Gallen	UCC-1 #19980059481 filed 8/24/98, NC Sec. of State.

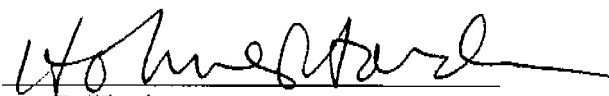
Accurata Treuhand und Revisions AG Vaduz Abundt 36 FL-9490, Vaduz	UCC-1 #19980059482 filed 8/24/98, NC Sec. of State.
Mareco Treuhand Anstalt Schlossweg 24 FL-9496, Balzers	UCC-1 # 19980059483 filed 8/24/98, NC Sec. of State.
UBS AG, Zurich Direktion Bahnhofstrasse 45 Postfach CH-8021, Zurich	UCC-1 #19980059486 filed 8/24/98, NC Sec. of State.

4. Subject to court approval, trustee has the authority to sell said property free and clear of liens, with liens attaching to proceeds in order of priority, pursuant to 11 U.S.C. Section 363 if none of the lienholders object.

WHEREFORE, trustee moves the court to enter an order authorizing the sale of said properties free and clear of liens at public auction or private sale.

DATED: 1/8/99

MAUPIN TAYLOR ELLIS & ADAMS, P.A.

BY:   
Holmes P. Harden  
Attorneys for Trustee  
3200 Beechleaf Court  
Post Office Drawer 19764  
Raleigh, North Carolina 27619-9764  
Telephone: (919) 981-4000

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
RALEIGH DIVISION

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INTERNATIONAL HERITAGE, INC.	)	
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Raleigh, NC 27608	)	
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TAX ID# 56-1921093	)	
	)	
Debtor.	)	

**NOTICE OF MOTION TO SELL  
PROPERTY FREE AND CLEAR OF LIENS**

TO: THE DEBTORS, ATTORNEY FOR THE DEBTORS, AND OTHER PARTIES  
IN INTEREST

NOTICE IS HEREBY GIVEN of the Trustee's Motion to Sell Property Free and Clear of Liens, by which Trustee seeks authority to liquidate all of the tangible and intangible personal property of debtor free of liens, filed simultaneously herewith by Holmes P. Harden, Trustee; and

FURTHER NOTICE IS HEREBY GIVEN that this motion may be allowed provided no response and request for a hearing is made by the Debtors or other party in interest in writing to the Clerk of this Court within twenty (20) days from the date of this notice; and

FURTHER NOTICE IS HEREBY GIVEN that if a response and a request for a hearing is filed by the Debtors or other party in interest named herein in writing within the time indicated, a hearing will be conducted on the motion and response thereto at a date, time and place to be later set by this Court and all interested parties will be notified accordingly. If no request for a hearing is timely filed, the Court may rule on the motion and response thereto ex parte without further notice.

DATE OF NOTICE:

1/8/99

By:

  
Holmes P. Harden, Trustee

N. C. State Bar No. 9835

P. O. Drawer 19764

Raleigh, NC 27619

Telephone: 919/981-4000

Facsimile: 919/981-4300

I, Holmes P. Harden, of Post Office Drawer 19764, Raleigh, North Carolina, 27619, certify:

That I am, and at all times hereinafter mentioned was,  
more than eighteen (18) years of age;

That on the 8<sup>th</sup> day of January, 1999, I served copies of the foregoing motion and notice of motion on:

Marjorie K. Lynch  
Bankruptcy Administrator  
U. S. Bankruptcy Court  
Post Office Box 3039  
Raleigh, North Carolina 27602

Managing Agent  
Jewels by Evonne, Inc.  
1879 Buford Hwy., Suite 7  
Buford, GA 30518

Stanley H. VanEtten  
10504 Tredwood Drive  
Raleigh, NC 27613

Managing Agent  
Mayflower Capital, LLC  
2626 Glenwood Avenue, Suite 100  
Raleigh, NC 27608

J. C. Faulhaber  
923 South 4th  
LaConner, WA 98257

Pamela Johnson  
18488 Best Road  
Mount Vernon, WA 98273

Jean Wedin  
P. O. Box 1600  
LaConner, WA 98257

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Lois Coonc  
P. O. Box 699  
LaConner, WA 98257

Gary D. McDowell  
1138 Ascott Valley Drive  
Duluth, GA 30097

Managing Agent  
Advanced Equities  
P. O. Box 1042  
Winnfield, LA 71483

Managing Agent  
Schweizer Verband der Raiffesebanken, St.  
Gallen  
Vadianstrasse 17  
CH-9000 St. Gallen

Managing Agent  
Schweizerische Hypotheken Handelsbank,  
Zurich  
Bahnhofstrasse/Schutzengasse  
CH-8023 Zurich

Managing Agent  
UBS, Zuerich  
Direktion  
Gahnhofstrasse 45, Postfach  
CH-8021 Zurich

Managing Agent  
Coeco  
2525 Atlantic Avenue  
Raleigh, NC 27604

John Docken  
Business Credit Leasing  
115 West College Drive  
Marshall, MN 56258

Managing Agent  
EOS Financial Services  
P. O. Box 1839  
Raleigh, NC 27602

Managing Agent  
Centrum Bank AG Vaduz  
Heiligkreuz 8, Postfach 1168  
FL-9490 Vaduz

Managing Agent  
Emil Schatz, St Gallen  
Oberhofstettenstrasse 67C  
CH-9012, Saint Gallen

Managing Agent  
Accurata Treuhand und Revisions AG Vaduz  
Abundt 36  
FL-9490 Vaduz

Managing Agent  
Mareco Treuhand Anstalt  
Schlossweg 24  
FL-9496 Balzers

Managing Agent  
UBS AG, Zurich Direktion  
Bahnhofstrasse 45  
Postfach  
CH-8021 Zurich

Terri Gardner  
Attorney for Debtor  
Smith Debnam Narron and Myers  
P. O. Drawer 26268  
Raleigh, North Carolina 27611

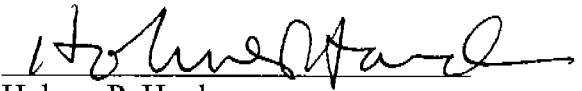
Brent E. Wood  
Wood & Francis, PLLC  
P. O. Box 164  
Raleigh, NC 27602

by First Class Mail.



I certify under penalty of perjury that the foregoing is true and correct.

Executed on 1/8/99

  
Holmes P. Harden